



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, Media Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *In re: The Walt Disney Company*, No. 05-1393. Filing of a new Petition for a Writ of Mandamus or, in the Alternative, a Writ of Injunction in the United States Court of Appeals for the District of Columbia Circuit.

DATE: October 19, 2005

This is to advise you that, on October 11, 2005, The Walt Disney Company filed a Petition for a Writ of Mandamus or, in the Alternative, a Writ of Injunction in the U.S. Court of Appeals for the District of Columbia Circuit.

Petitioner is seeking to have the court order the FCC to rule on pending petitions for reconsideration of the FCC's November 2004 order, *In the Matter of Children's Television Obligations of Digital Television Broadcasters*, Report and Order and Further Notice of Proposed Rule Making, MB Docket No. 00-167, 19 FCC Rcd 22943 (2004), 70 Fed. Reg. 63-68 (January 3, 2005), concerning children's television obligations of digital television broadcasters. In the alternative, the petitioner seeks an order staying the January 1, 2005, effective date of rules adopted in that order until the FCC acts on the reconsideration petitions.

The Court has docketed this case as No. 05-1393. The attorneys assigned to handle the litigation of this case is C. Grey Pash, Jr. and James M. Carr.